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Attorney for Plaintiff, MARSHALL LOSKOT

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

MARSHALL LOSKOT

Plaintiff(s),
 v.

RAFAEL VIZCAINO, aka RAFAEL VISCAYNO,
 dba LOS COMPADRES, RICHARD A. BOCCI,
 DEBIRAH L. BOCCI, et al.,

Defendant(s).

CASE NUMBER

4:09-CV-03026-PJH

NOTICE OF DISMISSAL WITH PREJUDICE
 PURSUANT
 RULE 41(a) OR (c) F.R.Civ.P.

PLEASE TAKE NOTICE: (Check one)

- This action is dismissed by the Plaintiff (s) in its entirety.
- The Counterclaim brought by Claimant (s) _____ is dismissed by Claimant (s) in its entirety.
- The Cross-Claim brought by Claimant (s) _____ is Dismissed by the Claimant (s) in its entirety.
- The Third-party Claim brought by Claimant (s) _____ is Dismissed by the Claimant (s) in its entirety.

■ ONLY Defendants RICHARD A. BOCCI and DEBORAH L. BOCCI are dismissed with prejudice from (Circle one) Complaint Counterclaim, Cross-claim, Third Party Claim brought by _____.

The dismissal is made pursuant to Rule 41(a) or (c) of the Federal Rules of Civil Procedure.

DATED: February 8, 2010

/s/Richard E. Grabowski
 Signature of Attorney/Party

NOTE:F.R.Civ.P. 41(a): THIS NOTICE MAY BE FILED AT ANY TIME BEFORE SERVICE BY THE ADVERSE PARTY OF AN ANSWER OR OF A MOTION FOR SUMMARY JUDGMENT, WHICHEVER FIRST OCCURS.

F.R.Civ.P. 41(c): COUNTERCLAIMS, CROSS-CLAIMS & THIRD-PARTY CLAIMS MAY BE DISMISSED BEFORE SERVICE OF A RESPONSIVE PLEADING OR TO THE BEGINNING OF TRIAL.

